

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

MAY 20 2008

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD EDWARD SHIRLEY,

Defendant.

CRIMINAL ACTION No. 3:06cr00021-1

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on the Government's Motion for Reduction of Sentence filed on February 21, 2008, pursuant to Federal Rule of Criminal Procedure 35(b) (docket entry no. 106). The defendant pled guilty on February 27, 2007, to Count One of the Indictment, and was sentenced on May 16, 2007, to a two hundred and sixty-two (262) month term of incarceration to be followed by a ten (10) year term of supervised release.

The Government represents that the defendant is entitled to substantial assistance consideration because he assisted law enforcement in solving a murder investigation in Richmond, Virginia. Accordingly, the Government recommends that the defendant's sentence be reduced in half for a total term of incarceration of one hundred and thirty-one (131) months.

The Court finds that the defendant qualifies for a sentence reduction pursuant to Rule 35(b) and hereby ORDERS that his term of imprisonment be reduced to one hundred and twenty (120) months to be followed by a ten (10) year term of supervised release. No other component of the Court's May 18, 2007 Order shall be affected by this Order.

It is so ORDERED.

The Clerk of the Court is hereby directed to send a certified copy of this Order to the

defendant, the U.S. Probation Office, and all counsel of record.

Entered this 20th day of May, 2008



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE